



IFW

Atty. Dkt. No. 085747-0245

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Linda D. Artman et al.

Title: Treating a Variety of Pathological Conditions, Including Spasticity and Convulsions, by Effecting a Modulation of CNS Activity with Isovaleramide, Isovaleric Acid, or a Related Compound

Appl. No.: 10/614,344

Filing Date: 07/08/2003

Examiner: Not yet assigned

Art Unit: Not yet assigned

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document, except as noted below, is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to Pre-OG Notice from Office of Patent Legal Administration dated July 25, 2003, *Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003*.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits, and within three (3) months of the mailing date of the foreign search report.

RELEVANCE OF EACH DOCUMENT

Any document listed on the attached PTO/SB/08 was cited as being relevant during the prosecution of the corresponding European application. A copy of the European Search Report is attached setting forth the portion of each document considered relevant by the examiner. An English-language counterpart of the foreign-language document has not been provided. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 CFR §1.98 and MPEP§609).

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong

amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date 19 July 2004

By S. A. Bent

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5404
Facsimile: (202) 672-5399

Stephen A. Bent
Attorney for Applicant
Registration No. 29,768

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application Number	10/614,344
Date Submitted: July 19, 2004		Filing Date	07/08/2003
(use as many sheets as necessary)		First Named Inventor	Linda D. ARTMAN et al.
		Group Art Unit	Not yet assigned
		Examiner Name	Not yet assigned
Sheet	1 of 1	Attorney Docket Number	085747-0245

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	3,485,851		Kali-Chemie	12/23/1969	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A2		WO 94/28888		NPS Pharmaceuticals, Inc.	12/22/94		
	A3		WO 97/34596		MENDES S.R.L.	9/25/1997		
	A4		WO 98/08498		NPS Pharmaceuticals, Inc.	3/5/1998		
	A5		WO 01/28516		NPS Pharmaceuticals, Inc.	10/19/2000		
	A6		WO 99/44623		NPS Pharmaceuticals, Inc.	3/4/1999		

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A7	International Search Report	
	A8	Arun K. SRIVASTAVA et al., "QSAR on some anesthetics and narcotics using negentropy", Indian Journal of Chemistry, Section B: Organic Chemistry Including Medicinal Chemistry (1997), 36B(12), 1189-1193, XP008029818.	
	A9	Abdulla HAJ-YEHIA et al., "Pharmacokinetic Analysis of the Structural Requirements for Forming "Stable" Analogues of Valpromide", Pharmaceutical Research, Vol. 9, No. 8, 1992, pp. 1058-1063.	
	A10	Mitsuyo TANAKA et al., "Quantitative Structure-Activity Relationships of Anticonvulsant Aralkyl and Alkyl Carbamates", Chem. Pharm. Bull. 33(6), pp. 2403-2410, 1985.	
	A11	Abdulla HAJ-YEHIA et al., "Pharmacokinetics of a Valpromide Isomer, Valnoctamide, in Dogs", Journal of Pharmaceutical Sciences, Vol. 77, No. 10, 10/1988, pp. 831-834.	
	A12	George TAILLANDIER et al., "Recherches dans la serie dipropylacetique XII. Acides et alcohols aliphatiques ramifies anticonvulsivants", Eur. J. Med. Chem. - Chimica Therapeutica, September-October 1975, Vol. 10., No. 5 pp. 453-462..	
	A13	P.E. KEANE et al., "EFFECT OF VALPROATE ON BRAIN GABA: COMPARISON WITH VARIOUS MEDIUM CHAIN FATTY ACIDS", Pharmacological Research Communications, Vol. 17, No. 6, 1985, pp. 547-555.	

Examiner Signature		Date Considered	
---------------------------	--	------------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.